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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.:

DEX-0275

Inventors:

Macina et al.

Serial No.:

10/001,873

Filing Date:

November 20, 2001

Examiner:

Kenneth R. Horlick

Group Art Unit:

1637

Title:

Compositions and Methods Relating to

Lung Specific Genes and Proteins

I, Kathleen A. Tyrrell, Registration No. 38,350, certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450

On this date: April 8, 2004

Kathleen A. Tyrrell/Registration No. 38,350

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

( ) In accordance with §1.97(b), since this Information
Disclosure Statement is being filed either within three
months of the filing date of the above-identified

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application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

- (XX) In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:
  - ( ) Certification in Accordance with §1.97(e) is attached hereto; or
  - (XX) Authorization to charge Deposit Account No. 50-1616 the fee of \$180.00 as set forth in \$1.17(p) is provided.
- ( ) In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(I)(1).
- (XX) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith.

( ) In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 (modified) are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_\_, filed \_\_\_\_\_\_\_, for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1619. This form is submitted in duplicate.

- ( ) The relevance of the listed references in a foreign language is as stated in the specification at pages @@.
- (XX) All listed references are in the English language.

Respectfully submitted,

Kathleen A. Tyrrell Registration No. 38,35

Date: April 8, 2004

Licata & Tyrrell P.C. 66 E. Main Street Marlton, New Jersey 08053

(856) 810-1515



EXAMINER

Sheet 01 of 03 Docket No. Serial No. Form PTO-1449 Modified DEX-0275 10/001,873 List of Patents and Publications Cited by Applicant Applicant (Use several sheets if necessary) Macina et al. U.S. Department of Commerce Filing Date Group November 20, 2001 1637 U. S. PATENT DOCUMENTS Examiner Document Date Name Class Subclass Initial No. FOREIGN PATENT DOCUMENTS Examiner Document No. Translation Date Country YES Initial NO DA WO 02/40673 A2 23-5-02 PCT DВ WO 02/074961 A1 26-9-02 PCT x DC WO 00/20567 13-4-00 PCT  $\mathbf{x}$ DD WO 99/06552 11-2-99 PCT

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